

The Examiner has objected to the term "substantially isolated form" which appears in claims 1 and 2. These claims have been amended so as to delete the word "substantially" from this term. The metes and bounds of isolated form, in particular substantially isolated form, are clearly set out on page 17, lines 1 to 9 of the application as filed. In view of the amendment to the claims and the above indicated passage in the description as filed it is submitted that the claims are definite.

The Examiner has objected to the term "substantially homologous thereto" in claims 1, 13 and 17. The metes and bounds of the term "substantially homologous thereto" with respect to polypeptides is clearly set out in the application as filed at page 15, lines 28 to 31. Based on this passage claims 1, 13 and 17 have been amended so as to specify that the polypeptide has at least 70% amino acid homology thereto over 30 or more amino acids. In view of this amendment it is submitted that the claims are definite with respect to this phrase.

New claim 24 is identical to amended claim 1 except that the percentage amino acid homology has been increased to 80%. Basis for this new claim can also be found, for example, in the passage at page 15, lines 28 to 31 of the specification as filed. Claims 3, 13 and 16 have been amended so as to be additionally dependent on new claim 24.

With regard to the issue of polypeptide homology characteristics, it is submitted that the person of ordinary skill in the art at the priority date of this application could readily determine the percentage homology between 2 polypeptide sequences. This is clear from the specification as filed when taken as a whole and especially from the general statement in the Examples at page 37 that "database comparisons were carried out against the GenEMBL Database release version 48.0 (9/96), using the BLAST and BLIXEM programmes." This passage goes on to discuss the percentage of amino acid sequence homology between a number of peptide sequences. The skilled person would clearly recognize that the computer programs BLAST and BLIXEM, for

example, are suitable for carrying out percentage homology comparisons, the programs operating, for example, with their default settings.

The rejection of claim 16 as allegedly being dependent on rejected claim 17 is not understood and clarification is requested in the event the rejection is maintained.

The amendment of claim 1 obviates the rejection of claim 2.

The rejection of claim 3 has been obviated by the above amendments. The application, as filed, clearly sets out at page 16, lines 16-36, for example, the meaning of the term epitope, in the context of the invention. In the light of this passage, it is apparent that in claim 3 the fragment must comprise at least 12 amino acids which include, within them, an epitope. Claim 3 is definite.

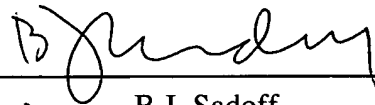
In light of the above, the Section 112, second paragraph rejection of claims 1-3, 13 and 16-17 should be withdrawn and the application allowed.

The Examiner is requested to contact the undersigned if anything further is required.

Respectfully submitted,

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